

11
DAC(M)
A

McFATRIDGE, BAKER & DEEN, P.C.

A PROFESSIONAL CORPORATION

LAN Q. NGO, P.E.
Of Counsel
U.S. Patent Attorney

ATTORNEYS AT LAW
3900 ESSEX LANE, SUITE 730
HOUSTON, TEXAS 77027
(713) 629-7966
FACSIMILE (713) 629-7960

Extension: 160
E-Mail: lngo@mbdlegal.com

GALVESTON OFFICE:
2228 SHIP'S MECHANIC ROW, SUITE 220
GALVESTON, TEXAS 77550
(409) 766-7966
FACSIMILE: (409) 766-7955

July 18, 2003

BY CERTIFIED MAIL

7001 2510 0001 4492 4020

RETURN RECEIPT REQUESTED

Assistant Commissioner for Patents
Box DAC
Washington, D.C. 20231

Re: Patent No. 5,891,260
Application No. 795,038

Dear Commissioner:

I am submitting a request to revive the patent referenced above, along with our firm check in payment of the maintenance fee for the 3-1/2 year fee and the surcharge for a total amount of \$1,145.00.

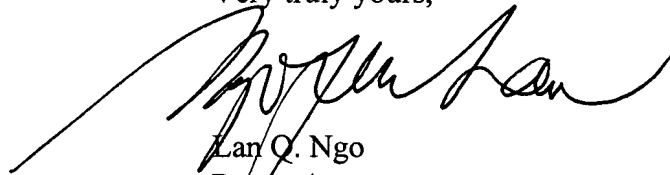
For your consideration, I submit to you that we always have an alert system implemented on the firm computer network to communicate to all attorneys who are members of the firm and the corresponding staff members a monthly reminder on the date during the six-month periods preceding the due date. The date entry in this system is centrally controlled and operated by a dedicated staff member and the assigned attorney. In addition, the entry is protected by a security measure and the network integrity is independently maintained by technical experts. Accordingly, this system has provided on-time notice to pay the maintenance fees and has no previous record of failing.

However, on July 1, 2002, the firm had a major change, which included reorganization of the infrastructure, as well as the top managerial personnel. The firm had paid great expenses to maintain the usual normalcy of the firm's operations, including the computer network. However, due to unforeseen reasons, the computer network was undermined and compromised. Even though the firm has recovered and recreated the greater majority of the system, some data was damaged beyond repair, including part of the alert system. Under the difficult circumstances experienced by the firm, I hope your office will affirm that the delay in paying the maintenance fee was unavoidable and that the fees included herewith are sufficient to revive the above patent.

Assistant Commissioner for Patents
July 18, 2003
Page 2

I look forward to your favorable response.

Very truly yours,

A handwritten signature in black ink, appearing to read 'Lan Q. Ngo', written over the typed name.

Lan Q. Ngo
Patent Attorney
USPTO Registration: 50549

Enclosures



PTO/SB/45 (06-03)

Approved for use through 06/30/2006. OMB 0651-0016
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

MAINTENANCE FEE TRANSMITTAL FORMAddress to:
United States Patent and Trademark Office
P.O. Box 371611
Pittsburgh, PA 15250-1611I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to "United States Patent and Trademark Office, P.O. Box 371611, Pittsburgh, PA 15250-1611" on July 9, 2003.Signature [Signature]Typed or printed name Lan Q. Ngo

Enclosed herewith is the payment of the maintenance fee(s) for the listed patent(s).

1. ☒ A check for the amount of \$ 1,145.00 for the full payment of the maintenance fee(s) and any necessary surcharge on the following patents is enclosed.
2. ☐ The Director is hereby authorized to charge \$ _____ to cover the payment of the fee(s) indicated below to Deposit Account No. _____.
3. ☐ The Director is hereby authorized to charge any deficiency in the payment of the required fee(s) or credit any Account No. _____.
4. ☐ Payment by credit card. Form PTO-2038 is attached.

* Information required by 37 CFR 1.366(c) (columns 1 & 4). Information requested under 37 CFR 1.366(d) (columns 2, 3, 5, & 6)

Item	Patent Number*	Maintenance Fee Amount (37 CFR 1.20 (e)-(g))	Surcharge Amount (37 CFR 1.20 (h)-(i))	U.S. Application Number* [06/555,555]	Payment Year			Small Entity? **
					3.5 yrs	7.5 yrs	11.5 yrs	
1	5,891,260	445.00	700.00	795,038	X			X
2								
3								
4								
5								
6								
Subtotals Columns 2 & 3		445.00	700.00					
Total Payment		1,145.00		<input type="checkbox"/> additional sheets attached for listing additional patents.				

WARNING:

Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038

Respectfully submitted***:

Customer's name:

Telephone:

Fax:

Customer's Signature:

Registration Number, if applicable:

Note: *All correspondence will be forwarded to the "Fee Address" or to the "Correspondence Address" if no "Fee Address" has been provided. 37 CFR 1.263.

** Payment of small entity fee is appropriate if small entity status still exists, see 37 CFR 1.27(g). To establish small entity status or to change status from small to large entity, note the requirements of 37 CFR 1.27 and 1.33(b).

*** WHERE MAINTENANCE FEE PAYMENTS ARE TO BE MADE BY AUTHORIZATION TO CHARGE A DEPOSIT ACCOUNT, BOTH CUSTOMER'S NAME AND SIGNATURE ARE REQUIRED.

This collection of information is required by 37 CFR 1.366. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 0.8 minutes to complete including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA. 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: United States Patent and Trademark Office, P.O. Box 371611, Pittsburgh, PA 15250-1611.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

08/01/2003 MAHMED1 00000002 08795038

01 FC:1559 1145.00 OP

Void date: 08/01/2003 MAHMED1

08/01/2003 MAHMED1 00000002 08795038

01 FC:1559 -1145.00 OP

RECEIVED
AUG 1 2003
OFFICE OF PETITIONS08/07/2003 AKELLE 00000018 501260
445.00 OP
700.00 OP
01 FC:2551
02 FC:1557